

### **REMARKS**

Applicant expresses appreciation to the Examiner for consideration of the subject patent application. This amendment is in response to the Final Office Action mailed November 1, 2006. Claims 1-7, 9, 11-17, and 19- 22 are pending and stand rejected.

Applicant also thanks the Examiner Pappas for the previous telephone conversation on February 28, 2007 to discuss the 35 U.S.C 101 rejections, during which no agreement was reached.

#### **Claim Rejections - 35 U.S.C. § 101**

Claims 1-7, 9, 12-17 and 19-22 were rejected under 35 U.S.C. § 101. Independent claims 1, 3, 12 and 19 have been amended to include the limitation of “suitable for use in rendering an image viewable by an end user.” No new matter is added by the claim amendment, as this limitation is supported by the originally filed specification. In particular, the specification at page 1, lines 12-13 provides a discussion of a computer graphics application. Page 2, lines 16-17 discuss rendering of images. Page 10, line 10 and page 26, line 20 discusses forming viewable images. One of ordinary skill in the art would readily understand how to implement the control meshes suitable for use in rendering and viewing in a computer graphics systems based on the originally filed disclosure, including for example, such well-known techniques as providing output of the mesh data to a graphics processor. Accordingly, the added limitation is enabled by the originally filed specification and does not constitute new matter.

The amended limitation overcomes the rejection under 35 U.S.C. § 101, as this limits the scope of the claims to the practical application of generating viewable computer graphics images for an end user. A viewable image that is rendered based on the computed meshes/surfaces, etc. is a physical manifestation, and accordingly provides a tangible result. Since the claim scope is limited to this application, the invention provides a practical, real-world result and is allowable under 35 U.S.C. § 101.

### **Claim Rejections - 35 U.S.C. § 102**

Claims 3, 4, 7, 12, 19, 20, and 22 (including independent claims 3, 12, and 19) were rejected under 35 U.S.C. § 102(b) as being anticipated by Bakenov. The claims have been amended to overcome the Office Action's rejections over Bakenov.

### **Conclusion**

In light of the above, Applicant respectfully submits that pending claims 1-7, 9, 11-17, and 19-22 are now in condition for allowance. Therefore, Applicant requests that the rejections and objections be withdrawn, and that the claims be allowed and passed to issue. If any impediment to the allowance of these claims remains after entry of this Amendment, the Examiner is requested to call Steve M. Perry at (801) 566-6633 so that such matters may be resolved as expeditiously as possible.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 20-0100.

DATED this 2<sup>nd</sup> day of April, 2007.

Respectfully submitted,

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